

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
James D. Marks

Application No.: 09/556,945

Art Unit: 3626

Filed: April 21, 2000

Examiner: Robert W. Morgan

For: SYSTEM AND METHOD FOR  
RECRUITMENT OF CANDIDATES FOR  
CLINICAL TRIALS WHILE MAINTAINING  
SECURITY

**DECLARATION OF JASON K. DEWEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Jason K. Dewey, hereby declare and state as follows:

1. I am a citizen of the United States and am more than twenty-one years of age.

2. I am employed as a Project Manager by Body Health Resources Corporation ("BHRC"), where I work on behalf of and under the supervision and control of James D. Marks, Founder and Chief Executive Officer. I completed the work described below in the United States.

3. Attached as Exhibit C is a true copy of a hard copy listing of the Health Survey Reponses from May 24, 1999 to June 27, 1999, with redaction of specific data. Each response contains a series of predetermined questions with answers provided by respondents. Based on instructions from James Marks, I redacted information from

Exhibit C

the responses for this exhibit in order to maintain the privacy of the respondents and the confidentiality of the data. The earliest responses were submitted on May 24, 1999. Prior to the redactions, I observed that there are two May 24, 2004 responses, one is a test response submitted by one of BHRC's employees via the public interface at www.thebody.com and the other is from a member of the public unaffiliated with BHRC. In addition, prior to the redactions, I observed that at least two of the responses from May 25, 2004 are from members of the public unaffiliated with BHRC. Therefore, responses to the Questionnaire by multiple members of the public were received prior to the June 28, 1999 publication date of drkoop.com press release. Prior to the redactions, I also observed that the redacted data from responses dated May 24, 1999 and May 25, 1999 (as well as numerous other responses submitted prior to June 28, 1999) was personal contact and medical information from members of the public and such data was received from at least two members of the public unaffiliated with BHRC.

4. I further declare that all statements made herein are of my own knowledge and are true, and that all statements made on information and belief are believed to be true. I further declare that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the instant application or of any patent issued thereupon.

Dated: 4/17/04

  
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Jason K. Dewey